

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN JIM ELLIOTT**, on February 13, 2007 at 9:00 A.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jim Elliott, Chairman (D)  
Sen. Jerry W. Black (R)  
Sen. Jeff Essmann (R)  
Sen. Kelly Gebhardt (R)  
Sen. Kim Gillan (D)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Sam Kitzenberg (D)  
Sen. Jim Peterson (R)  
Sen. Bob Story Jr. (R)

**Members Excused:** Sen. Trudi Schmidt (D)

**Members Absent:** None.

**Staff Present:** Lee Heiman, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 439, 2/8/2007; SB 430, 2/8/2007;  
SB 436, 2/8/2007  
Executive Action: None.

00:00:02

**HEARING ON SB 439**

**Opening Statement by Sponsor:**

00:00:46 **SEN. JIM ELLIOTT (D)**, SD 7, opened the hearing on **SB 439**, Nonresident withholding for natural resource royalty payments.

**Proponents' Testimony:**

00:04:25 David Hunter, Deputy Director, Montana Department of Revenue (DOR)

**EXHIBIT (tas32b01)**

**EXHIBIT (tas32b02)**

00:16:02 Dave Galt, Executive Director, Montana Petroleum Association

00:18:18 Debbie Shea, Montana Mining Association

00:18:58 Betty Beverly, Executive Director, Montana Senior Citizens Association

00:19:27 Brian Smith, Small Business Owner

00:20:16 Tom Bilodeau, MEA-MFT

00:20:38 Neil Haight

00:21:47 Jim Murry

**Opponents' Testimony:**

00:23:05 Patrick Montalban, Northern Montana Oil and Gas Association (NMOGA)

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:30:02 Sen. Kelly Gebhardt to Mr. Hunter, DOR

00:34:51 Sen. Robert Story to Mr. Hunter, DOR

00:42:01 Sen. Kim Gillan to Mr. Hunter, DOR

00:45:07 Sen. Story to Mr. Murray

00:45:45 Sen. Jim Peterson to Mr. Hunter, DOR  
00:50:09 Sen. Jerry Black to Mr. Hunter, DOR  
00:52:08 Lee Baerlocker, Montana Department of Revenue (DOR)  
00:52:38 Sen. Black to Mr. Hunter, DOR  
00:54:15 Sen. Story to Mr. Hunter, DOR  
00:54:44 Sen. Story to Mr. Montalban, MOGA  
00:56:27 Sen. Jeff Essmann to Mr. Montalban, MOGA  
00:57:59 Sen. Story to Mr. Hunter, DOR

**Closing by Sponsor:**

00:59:28 Sen. Elliott

**HEARING ON SB 430**

**Opening Statement by Sponsor:**

01:05:03 **SEN. JIM ELLIOTT (D)**, SD 7, opened the hearing on **SB 430**, Allow out-of-state revenue collections.

**Proponents' Testimony:**

01:08:42 David Hunter, Deputy Director, Montana Department of Revenue (DOR)

**EXHIBIT (tas32b03)**

01:15:55 Betty Beverly, Executive Director, Montana Senior Citizens Association  
01:16:54 Bruce Spencer, Montana Automobile Dealers Association (MADA)  
01:21:21 Holly Franz, Montana Society of Certified Public Accounts (MSCPAs)  
01:21:59 Mike Green, Attorney  
01:23:19 Jim Murry

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:25:08 Sen. Black to Mr. Hunter, DOR

01:27:28 Sen. Essmann to Mr. Spencer, MADA

01:30:51 Sen. Story to Mr. Hunter, DOR

01:32:31 Russ Hyatt, Collection Manager, Montana Department of  
Revenue (DOR)

01:33:51 Mr. Hunter, DOR

**Closing by Sponsor:**

01:34:11 Sen. Elliott

**HEARING ON SB 436**

**Opening Statement by Sponsor:**

01:37:47 **SEN. KELLY GEBHARDT (R), SD 23**, opened the hearing on  
**SB 436**, Permissive levy for fire service areas.

**Proponents' Testimony:**

01:39:19 Leonard Lundby, Manchester Voluntary Fire Company

01:43:25 John Semple, Montana Fire Alliance

01:43:54 Barbara Broberg, Montana Women Involved in Farm  
Economics (WIFE)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:44:36 Sen. Black to Sen. Gebhardt

01:47:36 Sen. Essmann to Sen. Gebhardt

01:51:01 Sen. Story to Mr. Lundby, Manchester Voluntary Fire  
Company

01:59:13 Sen. Kaufmann to Mr. Lundby, Manchester Voluntary Fire  
Company

02:01:10 Sen. Elliott to Mr. Lundby, Manchester Voluntary Fire  
Company

**Closing by Sponsor:**

02:02:25 Sen. Gebhardt

**ADJOURNMENT**

Adjournment: 11:06 A.M.

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SEN. JIM ELLIOTT, Chairman

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LOIS O'CONNOR, Secretary

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Additional Exhibits:

**EXHIBIT ([tas32bad.pdf](#))**